

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

RANDY BLAKE PATTERSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-15-1204-HE
	)	
NATIONAL BOARD OF MEDICAL	)	
EXAMINERS,	)	
	)	
Defendant.	)	

**JOINT APPLICATION TO EXTEND DISCOVERY  
AND *DAUBERT*/DISPOSITIVE MOTION DEADLINES**

Plaintiff, Randy Blake Patterson, and Defendant, National Board of Medical Examiners, move the Court pursuant to Fed.R.Civ.P. 6(b) and L.Cv.R. 7.1 to extend the discovery deadline, as well as the deadline to file *Daubert* and dispositive motions in this case by thirty (30) days. In support hereof, the parties advise the Court as follows:

1. Under the Scheduling Order [Doc. 9] in this case, discovery is to be completed by August 1, 2016. Dispositive and *Daubert* motions are to be filed by August 15, 2016.
2. The parties have not previously requested an extension of these deadlines.
3. The parties have diligently been conducting discovery in this case. Numerous sets of written discovery, numerous document subpoenas and deposition discovery have already occurred. Nevertheless, it has become apparent to the parties that additional time is needed to complete discovery. The vast majority of witnesses are physicians or other medical professionals, not all of whom live in Oklahoma, and the parties are attempting to accommodate surgery/professional schedules as well as the schedules of the parties and their attorneys. The

parties believe they can complete discovery in an additional thirty (30) days.

4. The parties make this Application jointly and, thus, are all in agreement about it.

5. This matter is currently scheduled on the Court's November 2016 trial docket. The parties do not believe the requested extension will affect the trial date or the other pretrial deadlines, with the exception of the *Daubert* and dispositive motion deadlines. As stated above, under the current schedule, *Daubert* and dispositive motion deadline must be filed on or before August 15, 2016. In view of the requested extension for discovery, the parties also seek an additional thirty (30) days to file such motions.

6. The parties therefore request the Court to extend the discovery, dispositive motion and *Daubert* deadlines by thirty (30) days, moving the discovery deadline to September 1, 2016 and the *Daubert*/dispositive motion deadline to September 15, 2016.

Respectfully submitted,

/s/ Steven E. Clark

Steven E. Clark, OBA #1712  
Heather Mitchell, OBA #14035  
Katie Templeton, OBA #21553  
CLARK & MITCHELL, P.C.  
101 Park Avenue, Suite 210  
Oklahoma City, OK 73102  
Telephone: (405) 235-8488  
Facsimile: (405) 235-7979  
[clark@clarkmitchell.com](mailto:clark@clarkmitchell.com)  
[heather@clarkmitchell.com](mailto:heather@clarkmitchell.com)  
[katie@clarkmitchell.com](mailto:katie@clarkmitchell.com)  
*Attorneys for Plaintiff*

- and -

/s/ Jack S. Dawson

Jack S. Dawson, OBA #2235  
Amy L. Alden, OBA #16978  
Andrea R. Rust, OBA #30422  
MILLER DOLLARHIDE, P.C.  
210 Park Avenue, Suite 2550  
Oklahoma City, OK 73102  
Telephone: (405) 236-8541  
Facsimile: (405) 235-8130  
[jdawson@millerdollarhide.com](mailto:jdawson@millerdollarhide.com)  
[aalden@millerdollarhide.com](mailto:aalden@millerdollarhide.com)  
[arust@millerdollarhide.com](mailto:arust@millerdollarhide.com)  
*Attorneys for Defendant*